

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 19-20, 2010

Reference No.: 2.8a.(1)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Denix D. Anbiah
Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT ALLOCATION FOR
LOCALLY-ADMINISTERED STIP PROJECTS, PER STIP GUIDELINES
WAIVER-10-21**

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) extend the period of project allocation for the projects listed on the attached document for the time periods shown.

ISSUE:

The attached document identifies 16 projects totaling \$8,037,000 that are programmed in the State Transportation Improvement Program (STIP) for delivery in Fiscal Year 2009-10. The agencies will not be able to request an allocation of funds by the June 30, 2010 deadline. The attachment shows the details of the projects and the explanation for the delays. The project sponsors are requesting extensions, and the regional planning agencies concur.

BACKGROUND:

Current STIP Guidelines adopted by the Commission stipulate that funds that are programmed for all components of local grant projects or for Department construction costs are available for allocation only until the end of the fiscal year identified in the STIP. The Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

**Time Extension/Waiver – Project Allocation Deadline
Local Streets and Roads Projects**

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount (\$ in thousands)	Number of Months Requested
		E&P (Environmental & Permits) PS&E (Plans, Specifications & Estimates) ROW (Right of Way) CON (Construction) TOTAL	Extended Deadline CT Recommendation
1	County of Tehama Tehama County PPNO: 02-2148 Bowman Road Bridge	\$0 \$0 \$0 \$400 \$400	12 Months 06/30/2011 Reprogram
<p>The County of Tehama (County) is requesting a 12-month extension to the period of project allocation for construction of the Bowman Road Bridge project. This project is included in the County's proposed 2010 RTIP for reprogramming.</p> <p>The County requests a 12-month time extension to June 30, 2011, for the allocation of the funds programmed for construction. The Department recommends reprogramming this project per the County's proposed 2010 RTIP.</p>			
2	County of Lassen Lassen County PPNO: 02-2261 Janesville Main Street Bike Path and Overlay	\$170 \$0 \$0 \$0 \$170	20 Months 02/29/2012 Reprogram
<p>The County of Lassen (County) is requesting a 20-month extension to the period of project allocation for the environmental phase of the Janesville Main Street Bike Path and Overlay project. This project is included in the County's proposed 2010 RTIP for reprogramming.</p> <p>The County requests a 20-month time extension to February 29, 2012, for the allocation of the funds programmed for E&P. The Department recommends reprogramming this project per the County's proposed 2010 RTIP.</p>			
3	County of Tehama Tehama County PPNO: 02-2331 McCoy Road Low-Water Crossing	\$0 \$0 \$0 \$567 \$567	12 Months 06/30/2011 Reprogram
<p>The County of Tehama (County) is requesting a 12-month extension to the period of project allocation for construction of the McCoy Road Low-Water Crossing project. This project is included in the County's proposed 2010 RTIP for reprogramming.</p> <p>The County requests a 12-month time extension to June 30, 2011, for the allocation of the funds programmed for construction. The Department recommends reprogramming this project per the County's proposed 2010 RTIP.</p>			
4	County of Tehama Tehama County PPNO: 02-2333 Jewett Creek Bridge at Kirkwood Road	\$0 \$12 \$0 \$0 \$12	12 Months 06/30/2011 Reprogram
<p>The County of Tehama (County) is requesting a 12-month extension to the period of project allocation for design of the Jewett Creek Bridge at Kirkwood Road project. This project is included in the County's 2010 proposed RTIP for reprogramming.</p> <p>The County requests a 12-month time extension to June 30, 2011, for the allocation of the funds programmed for construction. The Department recommends reprogramming this project per the County's proposed 2010 RTIP.</p>			

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5	County of Tehama Tehama County PPNO: 02-2334 Jewett Creek Bridge at Columbia Avenue	\$0 \$6 \$0 \$0 \$6	12 Months 06/30/2011 Reprogram
<p>The County of Tehama (County) is requesting a 12-month extension to the period of project allocation for design of the Jewett Creek Bridge at Columbia Avenue project. This project is included in the County's proposed 2010 RTIP for reprogramming.</p> <p>The County requests a 12-month time extension to June 30, 2011, for the allocation of the funds programmed for PS&E. The Department recommends reprogramming this project per the County's proposed 2010 RTIP.</p>			
6	County of Tehama Tehama County PPNO: 02-2378 Sacramento River Bridge	\$0 \$0 \$11 \$0 \$11	12 Months 06/30/2011 Reprogram
<p>The County of Tehama (County) is requesting a 12-month extension to the period of project allocation for right of way for the Sacramento River Bridge project. This project is included in the County's proposed 2010 RTIP for reprogramming.</p> <p>The County requests a 12-month time extension to June 30, 2011, for the allocation of the funds programmed for ROW. The Department recommends reprogramming of this project per the County's proposed 2010 RTIP.</p>			
7	County of Tehama Tehama County PPNO: 02-2379 Evergreen Road Bridge at South Fork Cottonwood Creek	\$0 \$50 \$0 \$0 \$50	12 Months 06/30/2011 Reprogram
<p>The County of Tehama (County) is requesting a 12-month extension to the period of project allocation for design of the Evergreen Road Bridge at South Fork Cottonwood Creek project. This project is included in the County's proposed 2010 RTIP for reprogramming.</p> <p>The County requests a 12-month time extension to June 30, 2011, for the allocation of the funds programmed for PS&E. The Department recommends reprogramming this project per the County's proposed 2010 RTIP.</p>			

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8	County of Trinity Trinity County PPNO: 02-2399D Lewiston Road Bike / Pedestrian Lane, TE	\$0 \$40 \$0 \$0 \$40	12 Months 06/30/2011 Support
<p>The County of Trinity (County) is requesting a 12-month extension to the period of project allocation for design of the Lewiston Road Bike/Pedestrian Lane TE project. The County requested an allocation for E&P at the January 2009 Commission Meeting. However, the allocation was placed on the Department's "Projects Delivered But Not Yet Allocated" list. The E&P allocation was approved at the May 2009 Commission meeting. This caused a four-month delay in the project schedule. The Request for Authorization to Proceed with Preliminary Engineering (E-76) was approved by FHWA on July 24, 2009. Due to the delayed start date and the County's heavy construction workload during July 2009 through September 2009, the County was not able to initiate environmental work on this project until October 2009.</p> <p>The project was programmed for a Class I or Class II bicycle path. Several alignment alternatives were developed that took into account existing structures, slopes and safety concerns. To determine the feasibility of these alternatives and to select the best alternative, the County conducted additional surveys to determine gradients and locate property lines. Environmental studies could not be initiated until the alignment alternative was selected. The selection process was completed in January 2010.</p> <p>The County plans to complete the Preliminary Environmental Studies (PES) and submit the PES form and Area of Potential Effects map to the Department for approval by April 2010. The County plans to conduct field surveys for biological and cultural resources in May 2010, and complete technical environmental studies by August 2010. The County anticipates that the CEQA Mitigated Negative Declaration (MND) document will be prepared and circulated for internal peer review from September 2010 through November 2010. The County plans to seek adoption of the CEQA document from the Trinity County Planning Commission on December 9, 2010 and submit the CEQA MND to the Commission for consideration of future funding at the March 2011 Commission meeting. If the Commission approves the project for consideration of future funding the County plans to submit the PS&E allocation request for approval by June 2011. The County requests a 12-month time extension to June 30, 2011, for the allocation of the funds programmed for PS&E.</p>			
9	County of Tehama Tehama County PPNO: 02-2428 Lake California Drive Bikeway, TE	\$0 \$0 \$0 \$276 \$276	9 Months 03/31/2011 Support
<p>The County of Trinity (County) is requesting a nine-month extension to the period of project allocation for construction of the Lake California Drive Bikeway TE project. The County experienced unforeseen delays during the NEPA process. Due to mandatory furlough days required of the Department's environmental reviewers, the time to process NEPA documents has increased. On November 6, 2008, the County submitted the Preliminary Engineering Studies (PES) form to the Department. The County received comments on March 11, 2009. The County resubmitted the PES form on May 20, 2009. The form was signed on June 16, 2009. The Department requested that a Memorandum of Existing Conditions (MEC) be submitted. The County submitted the MEC on September 1, 2009. The County received comments on December 16, 2009. The document was edited per the Department's comments and resubmitted on December 23, 2009. The County has not yet received comments back from the Department. All studies and reports have been submitted, however, delays during the review of the environmental documents are out of the County's control. The project area is within the County's right of way so no additional right of way is required. The County anticipates that NEPA will be completed by August 2010, and design will be finalized by March 2011. The County requests a nine-month time extension to March 31, 2011, for the allocation of the funds programmed for construction.</p>			

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10	City of Susanville Lassen County PPNO: 02-2459 Susanville Rehabilitation	\$0 \$0 \$0 \$2,926 \$2,926	20 Months 02/29/2012 Reprogram
<p>The City of Susanville (City) is requesting a 20-month extension to the period of project allocation for construction of the Susanville Rehabilitation project. This project is included in Lassen County's proposed 2010 RTIP for reprogramming.</p> <p>The City requests a 20-month time extension to February 29, 2012, for the allocation of the funds programmed for construction. The Department recommends reprogramming this project per Lassen County's proposed 2010 RTIP.</p>			
11	City of Dorris Siskiyou County PPNO: 02-2476 Dorris Centennial Welcome Plaza, TE	\$0 \$25 \$0 \$0 \$25	9 Months 03/31/2011 Support
<p>The City of Dorris (City) is requesting a nine-month extension to the period of project allocation for design of the Dorris Centennial Welcome Plaza TE project. Prior to the allocation of the E&P funds for this project a portion of the original project scope was constructed using the City's own funds. The portion of work that was advanced from the original project scope (a History Wall) needed to be completed in time for the 2008 Dorris City Centennial. Because of this change in scope, the TE eligibility application had to be revised. The revised TE application was approved on December 17, 2009. Subsequent to the TE application approval, the project description was amended concurrently when E&P was allocated on February 25, 2010. This unforeseen delay allowed little time to complete the environmental phase and request a PS&E allocation.</p> <p>Currently, the City is in the process of selecting an environmental consultant to start and complete CEQA. The City anticipates that a consultant will be selected in April 2010, and environmental work will begin in May 2010. The City anticipates that CEQA clearance may require an additional six months to November 2010. Additional time may also be needed to submit environmental documents to the Commission for consideration of future funding, prior to requesting an allocation for PS&E. The City plans to submit the request for PS&E allocation at the February 2011 or March 2011 Commission meeting. The City requests a nine-month time extension to March 31, 2011, for the allocation of the funds programmed for PS&E.</p>			
12	County of Sacramento Sacramento County PPNO: 03-3199C Freedom Park Drive Enhancements, TE	\$0 \$0 \$0 \$2,600 \$2,600	12 Months 06/30/2011 Support
<p>The County of Sacramento (County) is requesting a 12-month extension to the period of project allocation for construction of the Freedom Park Drive Enhancements TE project. The County has had difficulty acquiring right of way, due to unsuccessful negotiations with property owners. On March 23, 2010, the County initiated the condemnation process by submitting a Resolution of Necessity (RON). Currently, the County has executed purchase agreements with eight property owners. The County anticipates that the Sacramento Board of Supervisors will approve the RON for 15 parcels on June 1, 2010. Then the County plans to prepare a court order for the 15 parcels based on the approved RONs between June 2010 and November 2010. The County plans to submit an allocation request for construction by the November 2010 Commission meeting. However, the County anticipates that right of way may be delayed beyond the proposed schedule due to the uncertainty of the condemnation process. The County requests a 12-month time extension to June 30, 2011, for the allocation of the funds programmed for construction.</p>			

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		TOTAL	
13	City of Vacaville Solano County PPNO: 04-5152E Jepson Parkway Gateway Enhancement, TE	\$0 \$0 \$0 \$230 \$230	9 Months 03/31/2011 Support
<p>The City of Vacaville (City) is requesting a nine-month extension to the period of project allocation for construction of the Jepson Parkway Gateway Enhancement TE project. The City experienced an unforeseen delay due to a delayed notification of the PS&E allocation. The City submitted a request for PS&E allocation on April 13, 2009, to be voted at the June 2009 Commission meeting. The City was informed that, due to budgetary reasons, the Commission would defer funding allocations for certain projects, including the Jepson Parkway Gateway Enhancement project. Although the project was approved at the June 2009 Commission meeting and listed on the Action Taken Report, the City did not receive additional notification that the funding had been approved until December 10, 2009. Subsequent to this notification, the City submitted a Request for Authorization to Proceed with Preliminary Engineering (E-76), which was approved on April 2, 2010. The work involved in completing the PS&E package will include consultant selection and preparation of construction documents. The City anticipates that PS&E will take nine months to complete. The City plans to complete PS&E by January 2011 and request a construction allocation at the March 2011 Commission meeting. The City requests a nine-month time extension to March 31, 2011, for the allocation of the funds programmed for construction.</p>			
14	Sonoma County Regional Parks Sonoma County PPNO: 04-5156H Bodega Bay Trail, TE	\$0 \$0 \$0 \$535 \$535	20 Months 02/29/2012 Support
<p>Sonoma County Regional Parks (County) is requesting a 20-month extension to the period of project allocation for construction of the Bodega Bay Trail TE project. The County experienced an unforeseen delay due to additional requirements regarding the biological resource studies and wetland delineation. In August 2009, the County initiated federal consultation for California Red-Legged Frog (CRLF) when they submitted the wetland delineation and permit application to the United States Army Corp of Engineers (USACOE). On December 23, 2009, the Department required that the Biological Assessment (BA) for CRLF be reformatted and resubmitted. This stopped progress on the CRLF biological study. On the same date, the Department informed the County that the plant surveys for Viola Aduca and Delphinium Luteum would need to be redone. The blooming period for these plant species is generally March through July, meaning that the BA would need to be completed in July through August 2010.</p> <p>Also, on January 13, 2010, the County received comments from the Department regarding the wetland delineation. The Department required an "escape route" be added opposite the proposed primary parking area, should the County keep the proposed parking alternative. The additional area comprising the "escape route" requires additional wetland delineation, as there is an existing roadside drainage ditch along this stretch of highway. The County will include this additional project area in the BAs for CRLF and the two plant species, and the Area of Potential Effect map for the cultural resource study. After the BAs are completed for CRLF and the two plant species, the County anticipates at least nine months of processing before obtaining the Biological Opinion (BO) from the United States Fish and Wildlife Services (USFWS).</p> <p>The County cannot complete the CEQA and NEPA documents until the BOs are received from USFWS because the BOs will address potential impacts and required mitigation measures associated with these species that must be included in the CEQA and NEPA documents. The County will continue to work on the remaining portions of the CEQA and NEPA documents so that the results of the BO can quickly be added. The County anticipates that CEQA and NEPA will be completed by May 2011, and right of way certification will be completed by June 2011. However, due to uncertainties in the environmental process, the County requests a 20-month time extension to February 29, 2012, for the allocation of the funds programmed for construction.</p>			

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15	City of Madera Fresno County PPNO: 06-A010 Schnoor Bicycle and Pedestrian Undercrossing, TE	\$0 \$0 \$0 \$139 \$139	12 Months 06/30/2011 Support
<p>The City of Madera (City) is requesting a 12-month extension to the period of project allocation for construction of the Schnoor Bicycle and Pedestrian Undercrossing TE project. The City experienced delays due to complaints about the project from adjacent property owners and difficulty acquiring the necessary permits. Complaints were received from residential property owners along the north bank of the Fresno River regarding the impact of construction on traffic and the environment. The project area includes a portion of the Fresno River and will impact the Schnoor Avenue Bridge which crosses the river. The City has met with property owners to explain the benefits of the project.</p> <p>The City is working with the California Department of Fish and Game for approval of the Determination on Stream Alteration, the United States Army Corps of Engineers and the Regional Water Quality Control Board for approval of the Section 401 Permit, the United States Bureau of Reclamation for an encroachment permit, and the Madera County Flood Control District for a County permit. The City anticipates that issues regarding right of way certification and permit approval will be resolved by March 2011, and plans to request a construction allocation at the June 2011 Commission meeting. The City requests a 12-month time extension to June 30, 2011, for the allocation of the funds programmed for construction.</p>			
16	City of California City Kern County PPNO: 09-2520 California City Boulevard Sidewalks, TE	\$0 \$50 \$0 \$0 \$50	3 Months 09/30/2010 Support
<p>The City of California City (City) is requesting a three-month extension to the period of project allocation for design of the California City Boulevard Sidewalks TE project. The project has been delayed due to unforeseen environmental concerns. A Biological Assessment (BA) is necessary because of the potential of Desert tortoises and Mohave ground squirrels located in the project area. Generally, biological surveys for these threatened species are conducted in the Spring (March – May). The City plans to submit the BA by June 2010. The City anticipates that environmental documents will be completed in July 2010, and plans to request a PS&E allocation at the September 2010 Commission meeting. The City requests a three-month time extension to September 30, 2010, for the allocation of the funds programmed for PS&E.</p>			